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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 BERNARD RHODES,

11 Petitioner,

No. CIV S-04-2250 JAM GGH P

12 vs.

13 MIKE KNOWLES,

14 Respondent.

ORDER

15 \_\_\_\_\_/  
16 Petitioner, a state prisoner proceeding with counsel, has filed this application for a  
17 writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States  
18 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

19 On February 9, 2009, the magistrate judge filed findings and recommendations  
20 herein which were served on all parties and which contained notice to all parties that any  
21 objections to the findings and recommendations were to be filed within twenty days. Petitioner  
22 has filed objections to the findings and recommendations to which respondent has filed a reply.

23 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-  
24 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire  
25 file, the court finds the findings and recommendations to be supported by the record and by  
26 proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed February 9, 2009, are adopted in full;

and

2. For the reasons presented in the Order, filed on July 18, 2008 (Docket No. 44),

and set forth verbatim in the Findings and Recommendations filed February 9, 2009 (Docket No.

45), the entire petition is dismissed as moot.

DATED: March 23, 2009

/s/ John A. Mendez  
UNITED STATES DISTRICT JUDGE

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